REMARKS

Claims 1-18 are pending in the application.

Claims 16-18 are allowed and claims 1-15 are rejected.

Claim 12 has been amended herein to clarify that a redundant-frame filter for determining whether the frame identifier of a frame newly received from a path has already been stored in the storage unit, discarding the received frame if the received frame has a frame identifier which has already been stored in the storage unit, and transmitting the received frame to the destination termination..."

Claim 1-3, 5-7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al. (hereinafter Williams).

Applicant's claims 1, and 5 describe, for example, an application discriminating unit for referring to the header of the received frame and determining whether an application of a host layer in the transmitting terminal is a real-time application.

Applicant's claim 9 describes an address-match discriminating unit for determining whether the destination address or transmission-source address contained in the header of the received frame matches an address that has already been registered.

The Office Action refers to Figure 1B and Column 5, Lines 1-35 of Williams. However in reviewing the reference, no description could be found of the application discriminating unit which refers to the header of a received frame to determine whether the traffic is real-time application.

Williams describes using RTP may be used for real time traffic. Williams fails to describe anything concerning determining from the header whether an application of a host layer in the transmitting terminal is a real-time application.

A Realtime Transport Protocol is not the same thing as determining from the header whether an application of a host layer in the transmitting terminal is a real-time application.

In addition, in claim 9 an address match is completely different from determining whether an application of a host layer in the transmitting terminal is a real-time application.

With regard to the sending in duplicate, the received frame, when the application is a real-time application, the Office Action refers to the background of Williams which states that redundantly sending all the critical data so that the delay experienced by the user will be only the delay of the shortest path is described.

However applicant is claiming a frame transmitting unit for sending in duplicate the received frame to a plurality of paths in parallel in the direction of a destination if the application is a real-time application.

The reference describes redundantly sending all the critical data compared to applicant reciting if the application is a real-time application. The reference does not state that the critical data is if the application is a real-time application.

In fact the ABSTRACT states that extra packets of specially computed data is sent along with speech data. Again the reference does not state that the specially computed is if the application is a real-time application.

It is respectfully submitted the reference fails to teach applicant's claimed features.

With regard to applicants Claim 2, the Office Action points to Column 2, Lines 66 to Col. 3, Line 8 of Williams. Again, there was no description of the port number of a received frame being used to determine whether an application was a real-time application.

Claim 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Yeo et al (2002/70958). (hereinafter Yeo).

84112355_1

10

Applicant's claims the storing of an identifier of the frame and discarding the received frame if the received frame is a frame that has already been received.

Yeo makes no mention of a frame identifier. Yeo does states that redundant frames are deleted. However, redundant frames are defined by frames that convey little additional new information to a viewer. There is nothing of redundant frames from a frame identifier.

Because Yeo fails to teach the claimed features the rejection should be withdrawn.
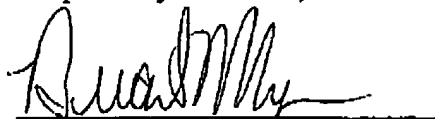
Claims 4, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Kuwabara et al. (U.S. 5,909,439) and Claims 13 and 15 are rejected as unpatentable over Yeo in view of Kuwabara et al.

Applicant respectfully submits that the previous comments above are applicable to these rejections since the combination of references fails to teach or suggest the claimed features.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8800
Fax: (212) 940-8986/8987
Docket No.: FUSA 17.211 (100807-16871)
BSM:fd

84112355_1

11

PAGE 16/16 * RCVD AT 2/15/2006 3:26:35 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/33 * DNIS:2738300 * CSID:+2129408986 * DURATION (mm-ss):04-24